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5 JAMAUL LEE BAKER, BE6323,
6 Petitioner,
7 v.
8 CHARLES SCHUYLER, Acting Warden,¹
9 Respondent.

10 Case No. [24-cv-00449-SK](#) (PR)

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28 **ORDER OF TRANSFER**

Petitioner seeks federal habeas review of a sentence from Sacramento County Superior Court, which lies within the venue of the Eastern District of California. See 28 U.S.C. § 84(b). Petitioner is incarcerated at Salinas Valley State Prison in Monterey County, which lies within the venue of the Northern District of California. See id. § 84(a).

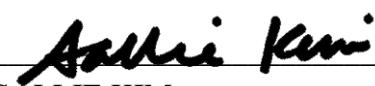
Venue is proper in a habeas action in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, petitions challenging a conviction/sentence (as opposed to the execution of a sentence) preferably are heard in the district of conviction/sentencing. See Habeas L.R. 2254-3(a); Dannenberg v. Ingle, 831 F. Supp. 767, 767 (N.D. Cal. 1993).

Because Sacramento County lies in the Eastern District of California, the court ORDERS that pursuant to 28 U.S.C. § 1404(a) and Habeas Local Rule 2254-3(b), and in the interest of justice, this petition be TRANSFERRED to the United States District Court for the Eastern District of California.

The clerk shall transfer this matter forthwith.

IT IS SO ORDERED.

Dated: February 13, 2024


SALLIE KIM
United States Magistrate Judge

¹ Acting Warden Charles Schuyler is substituted in for former Warden Trent Allen as the proper respondent in this habeas action.